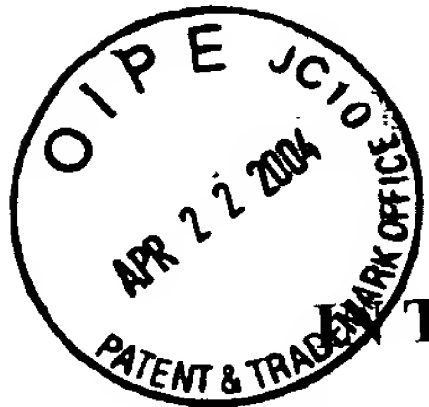


Image
BARNES & THORNBURG



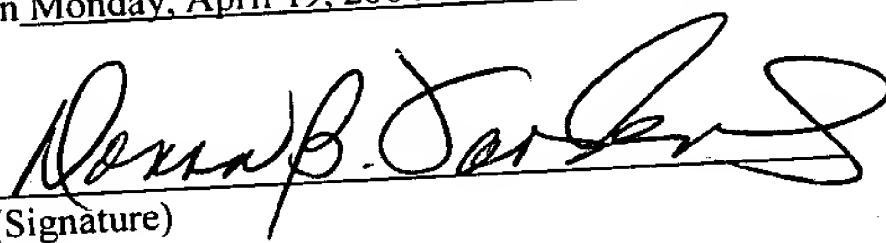
1725
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PATENT APPLICATION
THE UNITED STATES PATENT AND TRADEMARK OFFICE

Customer No.: 23644
Application No.: 09/933,527
Confirmation No.: 5832
Filing Date: 08/20/2001
Group Art Unit: 1725
Examiner Name: Kevin P. Kerns
Attorney Docket No.: 921095-910623
First Named Inventor: Robert V. Norby
Title: Rail Welderhead Shear Apparatus

Certificate Under 37 CFR 1.8(a)

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on Monday, April 19, 2004


(Signature)

Donna B. Vandenberg
(Printed Name)

☒ [x] AUTHORIZATION TO PAY AND PETITION FOR THE ACCEPTANCE OF ANY NECESSARY FEES. If any charges or fees must be paid in connection with the following Communication (including but not limited to the payment of Issue Fees), they may be paid out of our deposit account 12-0913. If this payment also requires a Petition, please construe this authorization to pay as the necessary Petition which is required to accompany this payment.

☐ [] Applicant hereby petitions for a ___-month extension and entry of this Amendment which is sent within the ___ month after the due date of ___, 2003. The payment of \$___ .00 to cover the ___-month extension is enclosed herewith.

RESPONSE TO RESTRICTION REQUIREMENT

In response to the Restriction Requirement mailed March 17, 2004, Applicants respond as follows:

Applicants respectively traverse the Restriction Requirement. The apparatus in the first species comprises the means which enable the method in the second species to be performed. The two species of claims are therefore interrelated.

Subject to the above remarks, if the Examiner maintains the restriction requirements, applicants elect, with traverse the claims in the first Group drawn to the apparatus, claims 1-7.

A complete copy of pages 1-14 of the original specification is enclosed.

A complete copy of all pending claims 1-22, designated "Original" and "Previously Presented" as appropriate.

The Preliminary Amendment of January 9, 2002 and the Second Preliminary Amendment of January 16, 2002 included Amendments to the specification, but these are not mentioned in the current action and therefore are not submitted.

Respectfully submitted,



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